

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No:

10/020,427

Applicant:

M. Oshima et al.

Filed:

December 7, 2001

Title:

MARK FORMING APPARATUS, METHOD OF FORMING LASER

MARK ON OPTICAL DISK, REPRODUCING APPARATUS,

OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK

TC/A.U.:

2134

Confirmation:

9007

Examiner:

P. E. Callahan

# SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

# Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of the references listed on the 1449 form is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

MTS-520US3 PATENT

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following reference is not in the English language:

## 1) JP 01-243237

Reference 1) includes an English language abstract and was cited by a foreign patent examining authority in connection with the examination of a counterpart of the above identified application. A copy of this English language search report, indicating the degree of relevance determined by the foreign patent office is submitted herewith. MPEP 609 IIIA(3), second paragraph.

A copy of Reference US 5,050,150 was cited in an Information Disclosure Statement filed December 7, 2001, and a copy of Reference EP 0549488 was cited in an Information Disclosure Statement filed May 23, 2003.

More than three months have elapsed since the filing of the above-referenced application and/or a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

#### STATEMENT UNDER 37 C.F.R. § 1.97(e)

The undersigned hereby states that each item of information contained in the Information Disclosure Statement was first cited in any

**PATENT** MTS-520US3

communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Daniel N. Calde Jack J. Jankovitz, Reg. Attorneys for Applicants

JJJ/fp

**Enclosures:** 

PTO Form 1449 (2 sheets)

(#2) References

European Search Report

Transmittal Form

Dated:

October 20, 2004

P.O. Box 980 Valley Forge, PA 19482 (610) 407-0700

Account No. 18-0350 of any fees associated with this communication.

The Commissioner for Patents is hereby I hereby certify that this correspondence is being deposited authorized to charge payment to Deposit with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

October 20, 2004

PTO/SB/08A (AW 4/25/03) (04-03) Approved for use through 04/30/2004. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Under the Pagerwork Reduction & of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known Substitute for Form 1449/PTD OCT 2 2 2004 INFORMATION SISCLOSURE 10/020,427 Application Number December 7, 2001 Filing Date Mitsuaki OSHIMA, et al. First Named Inventor

2134

Paul E. Callahan

MTS-520US3

STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Examiner Initials\*

SHEET 1 of 2

		Document Number			Pages, Columns, Lines, Wher	
	r	Cite No. <sup>1</sup>		Number - Kind Code <sup>2 (if known)</sup>	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document
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Art Unit

Examiner Name Attorney Docket No.

Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited	Pages, Columns, Lines, Where Relevant Passages or Relevant	
Initials*	No.1	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (If known)	(MM-DD-YYYY)	Document	Figures Appear	
		JP 01-243237 A (with English abstract)	09/27/89	RICOH CO LTD		
		EP 0 520 619 A	12/30/92	PIONEER ELECTRONIC CORP		
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Examiner	Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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'See Kind Codes of USPTO Patent Documents at <a href="https://www.uspto.gog/">www.uspto.gog/</a> or MPEP 901.04.

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'For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

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The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08b (08-03) (AW 10/2003)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1963 no persons are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known Substitute for Form 1449B/PTO OCT 2 2 2004 Application Number 10/020,427 INFORMATION DISCL December 7, 2001 Filing Date STATEMENT BY APPLICA Mitsuaki OSHIMA, et al. First Named Inventor

(Use as many sheets as necessary)

SHEET 2 of 2

2134 Art Unit Paul E. Callahan **Examiner Name** Attorney Docket No. MTS-520US3

		NON-PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
		European Search Report for EP 04020082, dated October 6, 2004.	
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Examiner Signature	<u> </u>	Date Considered	<u> </u>

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	THAD		Application Number	10/02	0,427			
	TRANSMITTAL		Filing Date	Decem	December 7, 2001			
	FORM		First Named Inventor	M. Osh	1. Oshima et al.			
(to be	used for all correspondence after initial	l filing)	Art Unit	2134	2134			
		Examiner Name	Paul E.	Paul E. Callahan				
Total Nun	nber of Pages in This Submission 5 +	+ 2 refs.+	Attorney Docket No.	MTS-520US3				
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT								
Firm or Individual Name	Jack J. Jankovi <del>tz</del>		Registration No. (Atto			42,690		
Signature		1/202		$\leftarrow$				
Date	October 20, 2004	'	1 21 0	< \ \ \ \	1			

Typed or printed name

Signature

Fran Petrillo

Date

October 20, 2004

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

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